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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/624,454	07/21/2003	Steven M. Casey	020366-089500US	5591
84190 7590 02/02/2010 Qwest Communications International Inc. 1801 California St., #900 Denver, CO 80202				
EXAMINER				
NGUYEN, VAN KIM T				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/624,454

**Applicant(s)**

CASEY ET AL.

**Examiner**

Van Kim T. Nguyen

**Art Unit**

2456

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 January 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is responsive to communications filed on January 21, 2010. Claims 1-46 are pending in the application.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 21, 2010 has been entered.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new grounds of rejection.

#### ***Claim Rejections - 35 USC § 102***

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

5. Claims 1-8, 12-13, 17-19 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Casey et al (US 7,264,590), hereinafter Casey.

Regarding claim 1, Casey discloses a network interface device (200, Fig. 2A, col. 15: lines 60– 67), comprising:

a body-portion, wherein the body-portion comprises (208, Fig. 2A, col. 15: lines 60– 67):

an isolation device (232, 240; Fig. 2A) adapted to isolate a transport medium internal to a customer premises from a transport medium external to the customer premises such that operational changes to one of the internal and external transport media do not affect the other of the internal and external transport media (col. 16: lines 43-67, and col. 18: lines 36-56);

a first interface (228; Fig. 2A) coupled with the isolation device (232; Fig. 2A) and adapted to communicate with the external transport medium (satellite transmission, wireless transmission, coaxial cable; col. 16: lines 19-22), wherein the external transport medium is in communication with a distribution point (col. 16: lines 10-43);

at least one hinge coupled to the body-portion (212, Fig. 2A, col. 15: lines 60– 67), and

a lid-portion (204, Fig. 2A) coupled to the body-portion (208, Fig. 2A) via the at least one hinge (212, Fig. 2A) such that the body-portion and the lid-portion form a clam-shell design, wherein when closed, the clam-shell design is configured to restrict access to the body-portion and the lid-portion and when opened provide access to the body-portion and the lid-portion (col. 15: line 60- col. 16: line 10), the lid-portion comprising:

a second interface (236, 248, 251, 252, 263, 268; Fig. 2A) in communication with the isolation device (232, Fig. 2A) and adapted to communicate with the internal transport medium (col. 17: lines 1-11 and col. 21: lines 12-30); and

a plurality of microservers (246, 291; Fig. 2C) disposed external to the customer premises (220, Fig. 2B) and coupled with the first and second interfaces, wherein the plurality of

microservers are adapted to receive information from the external transport medium and includes software and hardware for implementing a first microserver to process the collected medical data and a second microserver to exchange the data between the internal transport medium and the external transport medium (col. 18: line 57 - col. 18: line 57 and col. 20: line 30 -col. 21: line 5), wherein the plurality of microservers are plug-and-play combatable such that any of the plurality of microservers are configured to be able to be added and/or removed from the network interface device at any time and without configuration (col. 6: lines 6-11 and col. 9: lines 20-29), and wherein the plurality of microservers are integrated in the network interface device (Fig. 2A-C);

a processor (244; Fig. 2A) in communication with the plurality of microservers (246; Fig. 2A) and having software instructions to coordinate transmission of the collected medical data over the transport medium external to the customer premises (Figure 2A; col. 17: lines 12-46);

wherein the isolation device adapted to provide communications security by preventing a microserver from accessing communications information which is associated with another microserver (col. 6: line 40 - col. 7: line 3 and col. 18: lines 36-56).

Regarding claim 2, Casey also discloses the isolation device and the plurality of microservers are disposed within a common housing (Figs. 2A-C).

Regarding claim 3, Casey also discloses the common housing is disposed on an exterior wall of the customer premises (col. 9: lines 7-10).

Regarding claim 4, Casey also discloses an addressable application device coupled with the plurality of microservers, wherein the addressable application device is adapted to receive the processed telecommunication information and to execute a defined application as an aid to implementing the microserver functions over the internal transport medium (col. 7: lines 26-44).

Regarding claim 5, Casey also discloses the addressable application device is disposed external to the customer premises (col. 7: lines 31-36).

Regarding claim 6, Casey also discloses the isolation device, the plurality of microservers, and addressable application device are disposed within a common housing (col. 18: lines 36-56).

Regarding claim 7, Casey also discloses the authentication microserver is adapted to verify that the microserver functions are authorized for the customer premises (col. 12: lines 10-25).

Regarding claim 8, Casey also discloses the file-transfer microserver is adapted to transfer an electronic file of information to or from the network interface device (Figure 3; col. 21: line 46 – col. 22: line 28).

Regarding claim 12, Casey also discloses the plurality of microservers comprise a code-processing microserver adapted to receive code and process the code for use by another component of the network interface device (col. 17: lines 27-46 and col. 20: lines 49 – col. 21: line 11).

Regarding claim 13, Casey also discloses the webserver microserver adapted to render a display of incoming web page information suitable for presentation with a web-browser enabled device (col. 21: lines 9-11).

Regarding claim 17, Casey also discloses the plurality of microservers comprise a wireless microserver adapted to provide an interface between wireless communications within

the customer premises to the external transport medium (col. 10: lines 42-59 and col. 21: lines 46-59).

Regarding claim 18, Casey also discloses the plurality of microservers comprises an RF power-level microserver adapted to monitor an RF power level of telecommunication information received at the first interface (sufficient signal strength is provided to permit the transmitter 135 to be moved around the patient premises without loss of signal; col. 10: lines 60-65).

Regarding claim 19, Casey also discloses the plurality of microservers comprise a test-access microserver adapted to verify proper functioning of another component of the network interface device (function as a controller, overseeing the network interface device's state and monitoring performance; col. 21: lines 5-11).

Regarding claim 21, Casey also discloses upgradeable firmware that supports the plurality of microservers (271, Figure 2C; col. 20: lines 50-53).

6. Claims 9-11, 15-16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casey as applied to claim 1 above, in view of Rakib (US 6,970,127).

Regarding claims 9-11, Casey discloses substantially all the claimed limitations, except a dynamic host configuration protocol microserver adapted to manage an internet-protocol address assignment to a device coupled with the internal transport medium.

As shown in Figure 8, Rakib teaches a home gateway comprising a DHCP server 320 assigns addresses to clients on the LAN and in the gateway (col. 27: lines 16-17; Figure 8).

Obviously, internet-protocol address assignment can either be public or private address assignment.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Rabik's method of using a DHCP server in Casey's system in order to access, control and monitor the gateway remotely.

Regarding claim 15, Casey-Rakib also teaches the plurality of microservers comprises an instant-messenger microserver adapted to provide instant-messaging functionality over the internal transport medium (Rabik; col. 23: lines 13-17).

Regarding claim 16, Casey-Rakib also teaches the plurality of microservers comprises:  
a webserver microserver adapted to render a display of web-page information suitable for presentation with a web-browser enabled device (Rabik; col. 31: lines 25-38); and  
an advertising microserver adapted to overlay an advertisement over the display of web-page information (Rabik; col. 22: lines 63-67)

Regarding claim 20, Casey-Rakib also teaches a webserver microserver coupled with the plurality of microservers and adapted to provide a customer-based graphical user interface for implementing software configuration changes of the microserver (Moore-Bhogal; col. 5: lines 60-67 and Rabik; col. 31: lines 25-38).

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Casey as applied to claim 1 above, in view of Johnson et al (US 5,694,616).



Casey does not explicitly disclose initiating an email alert in response to receipt of an email at an email account.

Johnson et al teaches initiating an alert in response to receipt of an email message at an email account (col. 3: lines 16-18).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Johnson's method of notifying the receiving of email in Casey's system in order to provide receivers with a friendly user email product that alerts users with receiving messages.

### ***Conclusion***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rupal D. Dharia/  
Supervisory Patent Examiner, Art Unit 2400

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